



T RIBAL HISTORIC PRESERVATION OFFICE
S TANDING ROCK SIOUX TRIBE
Administrative Service Center
North Standing Rock Avenue
Fort Yates, N.D. 58538
Tel: (701) 854-2120
Fax: (701) 854-2138

May 4, 2006

Northwest Area Water Supply Project
Bureau of Reclamation
Dakotas Area Office
P.O. Box 1017
Bismarck, ND 58502-1017

To Whom It May Concern:

| | | |
|--------------------------------|---------|--------|
| OFFICIAL FILE COPY RECEIVED | | |
| MAY - 8 2006 | | |
| REPLY: YES NO | | |
| INFO. COPY TO: | | |
| DATE | INITIAL | TO |
| 5/9/06 | AW | Alicia |
| | | Rick |
| | | Ken |
| | | Denny |
| CLASSIFICATION | | |
| PROJECT | | |
| CONTROL NO. | | |
| FOLDER I.D. | | |

} copied

This letter is written in response to the proposed preparation of an Environmental Impact Statement concerning the Northwest Area Water Supply project. The Standing Rock Sioux Tribe (hereafter "Tribe"), requests that the said EIS address the Tribe's ongoing concerns with the Red River Valley pipeline project; that project is currently in the NEPA process.

The Tribe's greatest concern is that cultural resource sites will not be preserved during and after construction of the project. The Tribe and its members highly value stone features in the landscape, e.g., cairns, effigies, and ring sites. These sites represent the history, spirituality and traditions of the tribe. Plans for construction and maintenance of the Northwest Area Water Supply project must include a detailed strategy to preserve and protect these sacred cultural sites. *A priori*, preserving these sites is of the utmost importance to the Tribe.

Because of the Tribe's interest in the sites, and, in light of federal laws protecting the right to the Tribe's cultural heritage, the Tribe requests that the area of potential effect under each alternative be given a Class III inventory under section 106 of the National Historic Preservation Act, with tribal coordination on methods and identification. 16 U.S.C. § 470s, et seq; 36 C.F.R. Part 800, et seq. The Tribe believes that the opportunity to review sites to determine the existence and to inventory Tribal Cultural Properties is mandated by federal statute and regulation. Thoroughly assessing each alternative prior to adoption of a final plan will ensure effective, lawful decision-making.

Similarly, the Tribe is gravely concerned about potential water depletion in the Missouri River and Lake Sakakawea. Fluctuating flow rates and water elevations increase erosion rates on banks and shorelines where most historic and prehistoric sites are located. The

Tim Mentz, Sr. ♦ Tribal Historic Preservation Officer ♦ e-mail: tmentz@westriv.com
Robert BullHead ♦ Program Assistant ♦ e-mail: rbullhead@westriv.com
Wasté Win Young ♦ Tribal Historian ♦ e-mail: wyoung@westriv.com
Byron Olson ♦ Tribal Archaeologist ♦ e-mail: bolson@westriv.com
George Ironshield ♦ Repatriation Coordinator ♦ e-mail: gishield@westriv.com

Tribe believes that the potential degradation of soil stability and its effect on historic and prehistoric sites must be addressed in the EIS.

Careful consideration of the Tribe's senior water rights must also be examined in preparing the EIS. The NAWS Project must carefully scrutinize how exercise of the Tribe's water rights would affect the project's ability to deliver water. The Tribe is confident that the issue of the project's effects on water rights can be ascertained by careful study and communication between the relevant stakeholders. Of course, a plan for the mediation of potential conflict must be cooperatively developed.

The Tribe intends to remain fully involved in this project and its future operations. Therefore, we look forward to reviewing the proposed Environmental Impact Statement at the earliest possible date. Please contact this office as soon as possible regarding the EIS and related issues of Tribal cultural resource inventories and Tribal coordination. Your consideration in this matter is appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Mentz, Sr.", is positioned above the typed name.

Tim Mentz, Sr.
Tribal Historic Preservation Officer
Standing Rock Sioux Tribe

TM/sc